IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2110 OF 2007
IN
SUIT NO.1510 OF 2007

Anil Dupte ...Plaintiff
V/s.
Amogh Sawant ...Defendant

Mr.P.M. Havnur, Advocate, for the Plaintiff.

Mr.Milind Vasudeo a/w. Mr.Swanand Ganoo, Advocates, i/b. M.G. Gawde, for the Defendant.

CORAM : S.J. VAZIFDAR, J.

DATE : 4TH SEPTEMBER, 2007.

P.C. :

1. The Plaintiff has filed this Suit for recovery of money in respect of a construction contract. According to the Plaintiff it was wrongly terminated. The Plaintiff has also sought an order restraining the Defendant from using his material at site.

2. By this Notice of Motion, the Plaintiff has sought interim reliefs in the nature of the final reliefs sought in this Suit. The Plaintiff's claim is in damages. Further the Defendant has stated on affidavit that the material at site does not belong to the Plaintiff.

3. It is not possible to decide this dispute in a Notice of Motion. Hence, the Notice of Motion is dismissed.